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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,745	12/10/2001	Kathleen R. McKeown	A32313-PCT	3754
21003	7590	12/27/2005	EXAMINER	
BAKER & BOTTS 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			CORRIELUS, JEAN M	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/913,745	MCKEOWN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean M. Corrielus	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 October 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,5-8,12-16 and 20-22 is/are rejected.
- 7) Claim(s) 2-4,9-11 and 17-19 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. This office action is in response to the amendment filed on October 3, 2005, in which claims 1-22 are presented for further examination.

### ***Response to Arguments***

2. Applicant's arguments filed on October 3, 2005 have been fully considered but they are not persuasive. (See examiner's remark).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 5-8, 12-16 and 20-22 as best understood by examiner are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakao US Patent no. 6,205,456 and Razin et al., (hereinafter "Razin") US Patent no. 6,098,034.

As to claim 1, Razin discloses the claimed "extracting phrases having focus elements from the plurality of documents" as extracting phrases in a document to automatically create a list of extracted phrases (col.2, lines 45-56; col.30, lines 53-54); "performing phrase intersection analysis on the extracted phrases to generate a phrase intersection table" determining which phrases that are identical (col.2, lines 56-64); "performing temporal processing on the phrases in the phrase intersection table" (col.3, lines 24-30, lines 46-58; col.4, lines 4-17 ); and "performing

sentence generation using the phrases in the phrase intersection table” constructing sentence from the determination of standard phrases (col.3, lines 35-38). However, Razin does not explicitly disclose the use of generating a summary of the plurality of related documents. On the other hand, Nakao discloses a system for generating a summary of the plurality of related documents available in computer readable media by performing sentence generation using the phrases in the phrase intersection table (col.5, lines 64-67; col.6, lines 14-17); and “extracting phrases having focus elements from the plurality of documents” extracting a phrase in the document based on the condition of the pattern or the extracting sentences (col. Lines 57-60). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, wherein the master phrase finding phrase, provided therein (see Razin’s fig. 2) would incorporate the use of generating a summary of the plurality of related documents. One having ordinary skill in the art at would found it motivated to utilize such a combination in order to ensure the syntactic coherence of the document.

As to claim 5, Razin discloses the claimed “wherein the temporal processing includes time stamping phrases based on a first occurrence of the phrase in the collection” (col.15, lines 5-20; col.16, lines 5-50; col.23, lines 43-56; col.24, lines 4-11; col.1, lines 42-53); “substituting date certain references for ambiguous temporal references” (col.15, lines 5-20; col.16, lines 5-50; col.23, lines 43-56; col.24, lines 4-11; col.1, lines 42-53); “ordering the phrases based on the time stamp” (col.); and “inserting a temporal marker if a temporal gap between phrases exceeds a

threshold value” (col.2, lines 4-13; col.7, lines 4-11; col.16, lines 5-17, lines 25-32; col.23, lines 50-56).

As to claim 6, Razin discloses the claimed “a phrase divergence processing operation” (col.15, lines 5-20; col.16, lines 5-50; col.23, lines 43-56; col.24, lines 4-11; col.1, lines 42-53).

As to claim 7, Razin discloses the claimed “wherein the sentence generation includes mapping phrases to an input format of a language generation engine and operating the language generation engine” (col.2, lines 56-64).

As to claims 8 and 12-15:

Claims 8 and 12-15 are the system claimed for performing the method of claims 1 and 5-7. They are rejected under the same rationale. In addition, Razin discloses the claimed “a storage device for storing the documents in the collection, wherein the storage device for storing the documents in the collection is remotely located from the processing subsystem” (col.1, lines 55-col.2, line 14); “a lexical database” (col.6, lines 30-36; col.7, lines 30-35; col.25, lines 20-45); and “a processing subsystem, the processing subsystem being operatively coupled to the storage device and the lexical database, the processing subsystem being programmed to access the documents in the storage device” (col.6, lines 30-36; col.7, lines 30-35; col.25, lines 20-45).

As to claims 16 and 20-22:

Claims 16 and 20-22 are computer readable media for programming a computer system to perform the method of claims 1 and 5-7. They are, therefore, rejected under the same rationale.

***Allowable Subject Matter***

5. Claims 2-4, 9-11 and 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Remark***

6. Applicants asserted that Razin does not teach or suggest temporal processing because Razin only deals with a single document. The examiner disagrees with the precedent assertion. Razin, however, is directed to documents summarization apparatus or method summarizes the electronic documents written in a natural language, and generates an appropriate summary depending on user's focus and user's knowledge. Such documents summarization apparatus according to Razin includes focused information relevant portion extraction unit, a summary readability improvement unit, and a summary generation unit. Wherein said focused information relevant portion extraction unit extracts a portion related to two types of focused information in the documents to be summarized based on the two types of focused information, that is, user-focused information as information focused by a user who uses a summary, and author-focused information as information emphasized by the authors of the documents to be summarized. The summary generation unit generates the summary of the documents to be summarized based on

the selection result of the summary readability improvement unit. Thus, the summary can be generated with both user-focused information and author-focused information can be included depending on the knowledge level of a user. Whereas, Nakao, discloses a method for standardizing phrases in a document includes the steps of identifying phrases of a document to create a preliminary list of standard phrases, which are extracted automatically and filtered to form final list of extracted phrases, identifying candidate phrases of the document which are similar to the standard phrases and determining whether a candidate phrase of the document is sufficiently proximate to the standard phrase to constitute an approximate phrase by computing a phrase substitution to determine the appropriate conformation of standard phrase to the approximate phrase or the approximate phrase to the standard based on confirmation of proximity of candidate phrase with extracted phrase. Therefore, the list of significant user-created standard phrase and standardization of approximately matched phrasing throughout the document, are attained. Since standardization of phrasing is performed automatically, manual labor is reduced and time consumption is also reduced. The combination of Razin and Nakao discloses substantially the invention as claimed.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

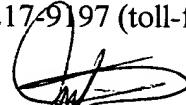
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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032. The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus  
Primary Examiner  
Art Unit 2162

December 20, 2005